

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NICHOLAS MERRILL,

Plaintiff,

v.

ERIC HOLDER, JR. et al.,

Defendants.

X

14 Civ. 9763 (VM)

Local Civil Rule 56.1(b) Statement

Pursuant to Local Civil Rule 56.1(b), defendants in the above-named action respond to plaintiff's statement of purportedly undisputed facts as follows:

Paragraphs 1-7: Admit for the purpose of these cross-motions, except deny paragraph 4.A (*see* Perdue Declaration ¶ 72).

Paragraphs 8-12: Object, as unsupported by admissible evidence. *See* Fed. R. Civ. P. 56(c)(1)-(2).

Paragraphs 13-25: Admit for the purpose of these cross-motions.

Paragraphs 26-29: Object, as unsupported by admissible evidence.

Paragraph 30: Admit for the purpose of these cross-motions, but object to paragraph 30.A as unsupported by admissible evidence.

Paragraphs 31-38: Object, as unsupported by admissible evidence.

Paragraph 39: Admit for the purpose of these cross-motions.

Paragraph 40: Object, as unsupported by admissible evidence (*see* Perdue Decl. ¶¶ 73-74).

Paragraph 41: Admit for the purpose of these cross-motions.

Paragraph 42: Object, as unsupported by admissible evidence.

Paragraphs 43-48: Admit for the purpose of these cross-motions.

Dated: New York, New York
April 24, 2015

Respectfully submitted,

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for Defendants

By: /s/ Benjamin H. Torrance
BENJAMIN H. TORRANCE
Assistant United States Attorney
86 Chambers Street
New York, New York 10007
Telephone: 212.637.2703
Fax: 212.637.2702
E-mail: benjamin.torrance@usdoj.gov